

FORM PTO-1390
(REV 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

534037mo

-U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/926138

INTERNATIONAL APPLICATION NO.
PCT/JP00/01494INTERNATIONAL FILING DATE
March 13, 2000PRIORITY DATE CLAIMED
March 18, 1999

TITLE OF INVENTION

ENZYMATIC FLUOROMETRIC ASSAY FOR cAMP AND ADENYLATE CYCLASE

APPLICANT(S) FOR DO/EO/US

Atsushi SUGIYAMA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - (a) PCT Request in Japanese Language
 - (b) PCT/IB/304
 - (c) Demand
 - (d) Title page of WO 00/55356 together with International Search Report
 - (e) PCT/IB/308
 - (f) PCT/IB/332
 - (g) IPE Report (in Japanese)
 - (h) Formal drawings--four sheets

INTERNATIONAL APPLICATION NO.
PCT/JP00/01494

CALCULATIONS **PTO USE ONLY**

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO. \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$710.00
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International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00
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ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 860

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	27 - 20 =	7	X \$18.00
Independent claims	5 - 3 =	2	X \$90.00

\$ 126

\$ 160

\$ 270

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$270.00

\$ 1,416

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$

SUBTOTAL =

§

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

S

100

TOTAL NATIONAL FEE =

\$ 1,416

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

§

TOTAL FEES ENCLOSED =

\$ 1,416

Amount to be

\$

charged:

\$

- a. ☒ A check in the amount of \$ 1,416 to cover the above fees is enclosed. (Check No. 16276)
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-1213. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Eric S. Spector
JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, VA 22202

SIGNATURE:

ERIC S. SPECTOR

NAME _____

22495

REGISTRATION NUMBER

Practitioner's Docket No. 534037mo

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re ~~exam~~ application of: Atsushi SUGIYAMA

Application No.: 0 / TBA Group No.:

Filed: September 10, 2001 Examiner:

For: ENZYMETIC FLUOREMETRIC. . . .

Assistant Commissioner for Patents
Washington, D.C. 20231

APPLICATION DATA SHEET
37 C.F.R. § 1.76

NOTE: 37 C.F.R. § 1.76(a): "Application data sheet. An application data sheet is a sheet or sheets, that may be voluntarily submitted in either provisional or nonprovisional applications, which contains bibliographic data, arranged in a format specified by the Office. If an application data sheet is provided, the application data sheet is part of the provisional or nonprovisional application for which it has been submitted."

BIBLIOGRAPHIC DATA

1. Applicant information

NOTE: 37 C.F.R. § 1.76(b)(1): "(1) Applicant information. This information includes the name, residence, mailing address, and citizenship of each applicant (§ 1.41(b)). The name of each applicant must include the family name, and at least one given name without abbreviation together with any other given name or initial. If the applicant is not an inventor, this information also includes the applicant's authority (§§ 1.42, 1.43, and 1.47) to apply for the patent on behalf of the inventor."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature _____

Date: _____

(type or print name of person certifying)

First applicant:

Atsushi
GIVEN NAME MIDDLE INITIAL OR NAME SUGIYAMA
FAMILY (OR LAST NAME)
Citizenship Japan
Residence Yamanashi, Japan

Second applicant, (if any)

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship
Residence

Third applicant, (if any)

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship
Residence

Fourth applicant, if any

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship
Residence

Fifth applicant, (if any)

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship
Residence

Sixth applicant, (if any)

GIVEN NAME MIDDLE INITIAL OR NAME FAMILY (OR LAST NAME)
Citizenship
Residence

(Application Data Sheet [4-1.1]—page 2 of 6)

- ☐ Applicant is not the inventor and applicant's authority (§§ 1.42, 1.43 and 1.47) to apply for the patent on behalf of the inventor is as follows:

2. Correspondence information

NOTE: 37 C.F.R. § 1.76(b)(2): "(2) Correspondence information. This information includes the correspondence address, which may be indicated by reference to a customer number, to which correspondence is to be directed (see § 1.33(a))."

Correspondence for this application should be addressed as follows:

Name: ERIC S. SPECTOR

Address: JONES, TULLAR & COOPER, P.C.

P.O. Box 2266 Eads Station, Arlington, VA 22202

☒ Customer No.: 23294

3. Application information.

NOTE: 37 C.F.R. § 1.76(b)(3): "Application information. This information includes the title of the invention, a suggested classification, by class and subclass, the Technology Center to which the subject matter of the invention is assigned, the total number of drawing sheets, a suggested drawing figure for publication (in a nonprovisional application), any docket number assigned to the application, the type of application (e.g., utility, plant, design, reissue, provisional), whether the application discloses any significant part of the subject matter of an application under a secrecy order pursuant to § 5.2 of this chapter (see § 5.2(c)), and, for plant applications, the Latin name of the genus and species of the plant claimed, as well as the variety denomination. The suggested classification and Technology Center information should be supplied for provisional applications whether or not claims are present. If claims are not present in a provisional application, the suggested classification and Technology Center should be based upon the disclosure."

Title of Invention: **ENZYMATIC FLUOROMETRIC ASSAY FOR cAMP AND ADENYLATE CYCLASE**

Docket number assigned to this application: 534037mo

Suggested Classification: Class:

Subclass:

Technology Center to which subject matter is assigned: 1600

NOTE: "The suggested classification and Technology Center information should be supplied for provisional applications whether or not claims are present. If claims are not present in a provisional application, the suggested classification and Technology Center should be based upon the disclosure." 37 C.F.R. § 1.76(b)(3).

Total number of drawing sheets:

Type of application:

- ☒ utility
- ☒ application is to be published
Suggested drawing figure for publication: _____
- ☐ application is not to be published
- ☐ plant
- ☐ Latin names of the genus _____
species _____
of plant being claimed.
- ☐ design
- ☐ reissue
- ☐ provisional

Secrecy order under § 5.2:

- This application
- ☒ does not disclose
- ☐ discloses a significant part of the
subject matter of an application which is under a secrecy order pursuant to § 5.2.

4. Representative information

NOTE: 37 C.F.R. § 1.76(b)(4) states: "Representative information. This information includes the registration number of each practitioner having a power of attorney or authorization of agent in the application (preferably by reference to a customer number). Providing this information in the application data sheet does not constitute a power of attorney or authorization of agent in the application (see § 1.34(b))." (Emphasis added).

The following have a power of attorney or authorization of agent in this application:

Name of attorney (agent): ERIC S. SPECTOR

Address: JONES, TULLAR & COOPER, P.C...
P.O. Box 2266 Eads Station, Arlington, VA 22202

Customer No.: 23294

5. Domestic Priority information

NOTE: "Domestic priority information. This information includes the application number, the filing date, the status (including patent number if available), and relationship of each application for which a benefit is claimed under 35 U.S.C. 119(e), 120, 121, or 365(c). Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and § 1.78(a)(2) or § 1.78(a)(4), and need not otherwise be made part of the specification." 37 C.F.R. § 1.76(b)(5).

- ☐ Domestic priority for this application is claimed as follows:
- ☐ 35 U.S.C. § 119(e): Application No.: _____
Filed: _____
Status: _____
Relationship: _____

(Application Data Sheet [4-1.1]—page 4 of 6)

- ☐ 35 U.S.C. § 120: Application No.: _____
Filed: _____
Status: _____
Relationship: _____
- ☐ 35 U.S.C. § 121: Application No.: _____
Filed: _____
Status: _____
Relationship: _____
- ☐ 35 U.S.C. § 365(c): Application No.: _____
Filed: _____
Status: _____
Relationship: _____

6. Foreign priority information

NOTE: "Foreign priority information. This information includes the application number, country, and filing date of each foreign application for which priority is claimed, as well as any foreign application having a filing date before that of the application for which priority is claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and § 1.55(a)." 37 C.F.R. § 1.76(b)(6).

WARNING: Section 1.55(a) provides (1) that in an original application filed under 35 U.S.C. 111(a) (other than a design application) the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application; (2) in an application that entered the national stage from an international application after compliance with 36 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and the Regulations under the PCT.

☒ Foreign priority is claimed for this application as follows:

Country: Japan
Application No.: 073690/1999
Filing date: March 18, 1999
Status: _____

Foreign application having a filing date before that of the above application for which priority is claimed.

- ☐ None
- ☐ Country: _____
Application No.: _____
Filing date: _____
Status: _____

7. Assignee information

NOTE: 37 C.F.R. § 1.76(b) "Assignee information. This information includes the name (either person or juristic entity) and address of the assignee of the entire right, title, and interest in an application. Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of this chapter to have an assignment recorded by the Office."

NOTE: 37 C.F.R. § 1.215(b): "(b) If applicant wants the patent application publication to include assignee information, the applicant must include the assignee information on the application transmittal sheet or the application data sheet (§ 1.76). Assignee information may not be included on the patent application publication unless this information is provided on the application transmittal sheet or application data sheet included with the application on filing. Providing this information on the application transmittal sheet or the application data sheet does not substitute for compliance with any requirement of part 3 of this chapter to have an assignment recorded by the Office."

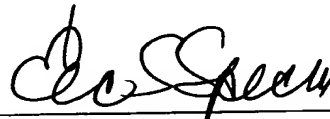
The assignee(s) of this application is/are:

Name of assignee: FUSO PHARMACEUTICAL INDUSTRIES, LTD.
Address of assignee: 7-10, Doshomachi-1-chome, Chuo-ku
Osaka-shi, Osaka 541-0045, JAPAN
Extent of interest of assignee in application: 100

Reg. No. 22495

Tel. No. (703) 415-1500

Customer No. 23294



Signature of Practitioner

ERIC S. SPECTOR

(type or print name of practitioner)

JONES, TULLAR & COOPER, P.C.

P.O. Address

P.O. Box 2266 Eads Station
Arlington, VA 22202

(Application Data Sheet [4-1.1]—page 6 of 6)

533 Rec'd PTO 10 SEP 2001

09/926138

The PTO did not receive the following
listed item(s)

No Postcard